

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gerhard HARTWICH and Adam HELLER
Serial no. : 09/856,543
Filed : an effective filing date of November 19, 1999
For : METHOD FOR THE ELECTROCHEMICAL
DETECTION OF NUCLEIC ACID OLIGOMER
HYBRIDS
Docket : PATKRI P01AUS

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

In response to the Notice of Missing Requirements under 35 U.S.C. 371 mailed June 26, 2001, a copy of the Notice is being returned to the United States Patent Office, as requested, along with two (2) signed Declaration and Power of Attorney forms and a Petition for a four (4) Month Extension of Term. Attached, please find our firm's check in the amount of \$785.00, \$65.00 of which covers the surcharge, on the small entity basis and \$720.00 of which covers the fee for a four (4) month extension of time. Lastly, attached is a copy of our previous Response filed on August 24, 2001.

If anything further is required before a filing receipt can be issued for this application, please immediately contact the undersigned attorney.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


Michael J. Bujold, Reg. No. 32,018
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For: METHOD FOR THE ELECTROCHEMICAL DETECTION OF
NUCLEIC ACID OLIGOMER HYBRIDS

Group Art Unit:
Examiner:
Docket: PATKRI P01AUS

RECEIVED: Response to Notif.of Missing Requirements & Amendment
to Incorporated Sequence Listing-12 pgs.;
Marked-Up Version of Amended Spec-9 pgs.;
Sequence Listing-2 pgs.
1- Sealed Floppy Disc

lfb:08/24/01

FORM PTO-1350
Rev. 5-93

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

PATKRI P01AUS

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. **09/856,543**

09/856,543

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/EP99/08888

November 19, 1999

November 23, 1998

TITLE OF INVENTION

METHOD FOR THE ELECTROCHEMICAL DETECTION OF NUCLEIC ACID OLIGOMER HYBRIDS

APPLICANT(S) FOR DO/EO/US

Gerhard HARTWICH and Adam HELLER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau. (PCT/IB/308 mailed)
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)) is attached.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO FORM 1449.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification w/Marked-Up Version of Amended Specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

- ☐ Preliminary Examination Report
- ☐ Annexes to Pre. Ex. Rep.
- ☐ International Search Report
- ☐ German Novelty Search Report
- ☐ ___ copies of citations
- ☐ Form PCT/IB/308
- ☐ International Publ. No. _____ (Face page only)

- ☐ Copy of Request
- ☐ Submission of Formal Drawings
- ☐ ___ sheets of formal drawings
- ☒ Petition for a Four (4) Month Extension
- ☒ Applicant Claims Small Entity Status
- ☒ Copy of Notification of File Missing Parts
- ☒ Response to Notification of Missing Parts

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date **December 13, 2001** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL918840739US** addressed to the: Box PCT, Assistant Commissioner of Patents, Washington, D.C. 20231.

Michael J. Bujold

(typed or printed name of person mailing paper)

Michael J. Bujold
(signature of person mailing paper)

17. ■ The following fees are submitted:				CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(5):					
Search Report has been prepared by the EPO or JPO \$890.00					
International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(1) \$710.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(2) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00					
Neither international preliminary examination fee (37 CFR 1.492)(a)(3) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1040.00					
International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(4) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				0	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				130	
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =	0	x \$18.00	0	
Independent Claims	-3 =	0	x \$84.00	0	
Fee for four (4) month extension of term			\$1440.00	1440	
TOTAL OF ABOVE CALCULATIONS =				1570	
Reduction by 1/2 for filing by small entity, if applicable. Applicant Claims Small Entity Status. (Note 37 CFR 1.9, 1.27, 1.28).				785	
SUBTOTAL =				785	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				0	
TOTAL NATIONAL FEE =				785	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				0	
TOTAL FEES ENCLOSED =				785	
				Amount to be: refunded	\$
				charged	\$
<p>a. ■ A check in the amount of \$ <u>785.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>04-0213</u> in the amount of \$ <u> </u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-0213</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: <u>Michael J. Bujold</u></p> <p style="margin-left: 300px;">Michael J. Bujold -- Registration No. 32,018 Davis & Bujold, P.L.L.C. Fourth Floor 500 North Commercial Street Manchester, NH 03101-1151 Telephone (603) 624-9220 Telefax (603) 624-9229</p>					